

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
Room 220, Senate Building, Utah State Capitol Complex
February 8, 2010**

Members Present: Sen. Jon J. Greiner, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Sen. Ben McAdams
Rep. Douglas C. Aagard
Rep. Richard A. Greenwood
Rep. Steven R. Mascaro
Rep. Curtis Oda
Rep. Jennifer M. Seelig
Rep. Larry B. Wiley

Members Excused: Pres. Michael G. Waddoups

Staff Present: Steve Allred, Fiscal Analyst
Gary Syphus, Fiscal Analyst
Steve Jardine, Fiscal Analyst
Jennifer Eyring, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. Greiner called the meeting to order at 2:15 p.m. and reviewed some of the budget considerations for the Office of the Attorney General, Courts, Driver License, and Governor's Office. He then relinquished the Chair to Rep. Hutchings.

Rep. Hutchings stated that the purpose of the meeting was to go over Federal Funds, Fees, and Intent Language.

Gary Syphus, Fiscal Analyst, introduced the handouts prepared by staff that show the proposed FY 2011 5% reductions and the effect they would have on each agency or program. These reductions are listed by agency and are not prioritized.

MOTION: Rep. Greenwood moved to approve the minutes of the January 28, 2010 meeting. The motion passed unanimously with Rep. Aagard, and Rep. Seelig absent for the vote.

MOTION: Rep Greenwood moved to approve the minutes of the February 1, 2010 meeting.

SUBSTITUTE MOTION: Sen. Greiner moved to amend the minutes to read "Sen. Greiner called the meeting to order", instead of "Rep. Greiner called the meeting to order". The motion

passed unanimously with Rep. Aagard and Rep. Seelig absent for the vote.

MOTION: Rep. Greenwood moved to approve the minutes as amended. The motion passed unanimously with Rep. Aagard and Rep. Seelig absent for the vote.

The Analyst continued his explanation of the remaining information prepared by staff. The information has been prepared in 3 sections, Federal Funds, Fees, and Intent Language.

Federal Funds

The Analyst pointed out that in the areas of Public Safety and Corrections, he has included information that has already been appropriated, to provide consistency in the reports.

Rep. Mascaro asked if the 5% reductions would affect any of the Federal Funds listed, by taking away matching funds, and how backfill would affect Federal Funds. A discussion followed that clarified that Federal Funds could be lost by cutting state budgets, and that Federal Funds would not follow backfill. The departments may have to prioritize their general fund money to maintain their match for Federal Funds. The committee will need to vote to authorize the use of the Federal Funds listed.

Dan Maldonado, Director, Division of Juvenile Justice, stated that their loss in funding for private providers for FY 2010 has been a 1:1 ratio, but with the changes in Medicaid funding coming in FY 2011, that loss will be much greater. Since they have not had any experience with the change, they do not know for sure what the ratio will be. Any loss in funding for provider beds will result in a loss of Federal funding.

Rick Platt, Administrative Services, Division of Juvenile Justice, stated that the Federal Fund loss shown on the chart is mostly due to ARRA funding.

Rep. Hutchings stated that if there are cuts that will exasperate the budget by affecting Federal Funds, they would like to hear about it so that they can make adjustments to avoid the loss of those funds.

Joe Brown, Finance Director, Department of Public Safety, told the committee that the Emergency Management Performance Grant would be reduced by a 1:1 ratio. The department tries to maximize state funds with both matching funds and in-kind funds.

MOTION: Rep. Wiley moved to approve the agency use of the Federal Funds as presented in the report by staff. The motion passed unanimously.

Fees

Sandy Naegle, Finance Manager, Governor's Office, drew attention to the Notary Testing fee of

\$15.00. The state is changing to an in-house testing company that will remit \$15.00 of the testing fee to the state. The fee needs approval from the committee.

Mr. Syphus clarified that the fee lists provided to the committee contain both statutory and non-statutory fees.

Statutory fees can only be addressed through legislation. Rep. Hutchings suggested that the committee look over the fee information, but wait to vote on fees until the next meeting. He requested staff prepare a list of only non-statutory fees.

Rep. Wiley asked about the differing amounts for duplication fees in various offices and suggested that it would be better for the fees to be uniform. Steve Allred, Fiscal Analyst, explained that the Court fees in question are already in Utah statute and will not be addressed by this committee.

Intent Language

Mr. Syphus explained the Intent language pages prepared by staff. He pointed out the FY 2010 Supplemental Language requested by the Governor's Office. Most of the remaining intent language refers to nonlapsing authority. These are the same as were provided in the Budget Briefs.

Ms. Naegle explained the need for the FY 2010 Supplemental Language for the Governor's Office. This is required because funds need to be moved from one line item to a fund established as required by the Help America Vote Act grant.

MOTION: Rep. Oda moved to approve the intent language for the Governor's Office as prepared by staff. The motion passed unanimously.

MOTION: Rep. Wiley moved to approve the intent language for the Office of the Attorney General as prepared by staff. The motion passed unanimously.

MOTION: Rep. Wiley moved to approve the intent language for the State Auditor as prepared by staff. The motion passed unanimously.

MOTION: Rep. Wiley moved to approve the intent language for the State Treasurer as prepared by staff. The motion passed unanimously.

MOTION: Rep. Aagard moved to approve the intent language for Public Safety as prepared by staff. The motion passed unanimously.

MOTION: Rep. Aagard moved to approve the intent language for Courts as prepared by staff. The motion passed unanimously.

MOTION: Rep. Aagard moved to approve the intent language for Corrections, Board of Pardons and Parole, and the Division of Juvenile Justice Services as prepared by staff. The motion passed unanimously.

FY 2011 Budget Reductions

Rep. Hutchings stated the purpose of the next meeting will be to prioritize the budget reduction list for FY 2011. The items listed on the top of the list will be the first to be cut. It was decided that the Departments would submit their priorities to staff, then the committee members would use that information to provide staff with their own prioritized list. The combination of those lists will be the starting list for the next meeting.

Other Business

Mr. Maldonado noted that more specific information requested by the committee had been provided and noted that their updated budget request list would be different from the one previously prepared.

Art Brown, President, MADD, reiterated their request that funds from the Driver License Reinstatement restricted account be used to fund the EASY program.

Rep. Hutchings stated that the vote on fees and the FY 2011 budget reduction prioritization list will occur at the next meeting.

Mr. Allred added that the committee may also vote to approve the base budget as a whole. There will also be a few miscellaneous items to be voted on.

MOTION: Rep. Greenwood moved to adjourn the meeting. The motion passed unanimously.

Rep. Hutchings adjourned the meeting at 3:30 p.m.

Sen. Jon J. Greiner, Co-Chair

Rep. Eric K. Hutchings, Co-Chair